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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,561	11/29/2001	Pilsoo Kim	Q124	5142
7590	10/05/2004		EXAMINER REKSTAD, ERICK J	
David E. Allred MYERS, DAWES & ANDRAS LLP Suite 1150 19900 MacArthur Boulevard Irvine, CA 92612			ART UNIT 2613	PAPER NUMBER

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,561

Applicant(s)

KIM, PILSOO

Examiner

Erick Rekstad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This is a first action for application no. 09/997,561 filed on November 29, 2001 in which claims 1-20 are presented for examination.

Claim Objections

Claim 20 objected to because of the following informalities: The claim states "at least on conversion device" it should be "at least one conversion device". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-3, 7, 8, 10, 11 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,491,511 to Odle.

[claims 1 and 16]

As shown in Figure 1, Odle teaches a point of sale surveillance system for comparing a cash register readout with a visual record of items purchased comprising:

A cash register (14) which produces^{elec}tronic report of a sales transaction;

A camera (12) which makes a visual image of goods which are subject to said sales transaction; and

A processor (28) coupled to said camera and cash register, which processor creates a record in which said visual image of goods and electronic report are

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correlated with each other (Col 4 Lines 1-5 and Lines 10-11, Col 5 Lines 36-62, Col 6 Lines 21-45).

[claims 2, 3, 10]

Odle further shows a digital recorder for storing said record of said correlated visual image of goods and electronic report as required by claims 2 and 10 (Col 4 Lines 1-10, Col 6 Lines 36-64). Odle further teaches storing the data for multiple sales transactions as required by claim 3 (Col 6 Lines 21-22 and 46).

[claims 7 and 8]

As shown in Figure 1, multiple cameras (12) and cash registers (14) can be used.

[claim 11]

Odle further teaches the system of claim 1 is used with an inventory control system (Col 6 Lines 17-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claim 1 above, and further in view of US Patent 5,216,502 to Katz.

[claims 5, 6 and 9]

Odle teaches the system of claim 1. Odle further teaches the recording of multiple composite video signals at the same time using a multiplexer (38, Fig. 1) (Col 5 Lines 29-35). Odle does not specifically teach displaying multiple pictures at the same time. As shown in Figure 3, Katz teaches a Picture in Picture display (64) for displaying the visual image of goods and electronic reports as required by claims 5 and 6 (Col 11 Line 45- Col 12 Line 32). The system of Katz uses a multiplexer (96) to combine the input of four cameras for use with a single display. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the POS system of Odle with the system of Katz in order to display more than one stream at a time.

Odle teaches the combining of the video signal with the transaction data (Col 6 Lines 21-35). It would have been obvious to one of ordinary skill in the art at the time of the invention that the combination of Odle and Katz would provide the video and transaction data for multiple POS as required by claim 9.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claim 1 above, and further in view of US Patent 6,175,382 to Mohr.

[claim 4]

Odle teaches the system of claim 1. Odle further teaches the received data from the register is reformatted from to a human readable form and then further converted to a common standard format (Col 5 Line 51- Col 6 Line 4, Figs. 3A-3B). Odle then combines the data with the obtained video for recording on a vcr (Col 6 Lines 21-45, Fig. 3C). Odle teaches transfer of the data over a modem and displaying the data on a vga monitor (34, Fig. 1) (Col 4 Line 55-Col 5 Line 10, Col 6 Lines 46-58). Odle does not

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teach the conversion from a vga format to a television compatible format. Mohr teaches the use of a VGA to NTSC converter in order to provide the video, provided by a modem, in a format that a video display can handle (Col 3 Lines 2-6, Line 60-Col 4 Line 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Odle with the video converter of Mohr in order to convert video transmitted over a modem into a format viewable on a video display.

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claim 16 above, and further in view of US Patent 6,056,087 to Addy et al.

[claims 17 and 18]

Odle teaches the method of claim 16. Odle further teaches the selectively recalling stored data and stored records for viewing (Col 6 Line 46-Col 7 Line 4). Odle further teaches analyzing the data to determine trends (Col 13 Lines 20-54). Odle does not teach comparing the cash register readout with the visual record to determine discrepancies between items paid for and items leaving the store with customers. Addy teaches a method of preventing theft by comparing the visual record with the cash register readout (Col 7 Line 51-Col 8 Line 45). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of Odle with the detection method of Addy to prevent theft.

[claim 19]

Odle further teaches the system of claim 16 is used with an inventory control system (Col 6 Lines 17-20).

Claims 12-15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odle as applied to claims 1 and 2 above, and further in view of Katz and Mohr.

[claims 12, 14, and 20]

Odle teaches the system of claims 1 and 2 as shown above. As shown in Figure 1, this system includes a cash register (14), a camera (12), and a computer (28). Odle further teaches the use of cables to connect the devices (Col 4 Lines 49-50). As shown above for claim 2, Odle further teaches the system records the transaction video and data (Col 4 Lines 1-10, Col 6 Lines 36-64). Odle further teaches the combining of the video signal with the transaction data (Col 6 Lines 21-35). Odle teaches the conversion of the received data from the register into a human readable form (Col 5 Lines 51-Col 6 Lines 4, Fig. 3A-3B). Odle then teaches the transfer of the data over a modem and displaying the data on a vga monitor (34, Fig. 1) (Col 4 Line 55-Col 5 Line 10, Col 6 Lines 46-58). Further, as shown in Figure 1, Odle teaches the use of multiple POS as required by claim 14 (Col 2 Lines 62-67, Col 4 Lines 10-11). Odle also teaches at least one input port (27 and 16) for the output of the output cable of the at least one camera and the at least one conversion device as required by claim 20. Odle does not teach a VGA-to-TV conversion device. Odle further does not teach the ability to produce picture in picture.

As shown above for claims 5, 6 and 9, Katz teaches the use of a PIP process (Col 11 Line 45-Col 12 Line 32, Fig. 3). As stated above for the rejection of claims 5, 6 and 9, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the POS system of Odle with the system of Katz in order to display

more than one stream at a time. Katz does not teach the use of a VGA-to-TV conversion device.

As shown for the rejection of claim 4, Mohr teaches the uses of a VGA-to-TV converter in order to provide the video provided by a modem, in a format that a video display can handle (Col 3 Lines 2-6, Lines 60-Col 4 Line 1). As further stated in the rejection of claim 4, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Odle with the video converter of Mohr in order to convert video transmitted over a modem into a format viewable on a video display.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the system and cables as a kit in order to use the POS (OFFICAL NOTICE).

[claims 13 and 15]

As shown above for claim 11, Odle teaches the use of the system with an inventory control system (Col 6 Lines 17-20).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,438,696 to Baran et al.

US Patent 6,583,813 to Enright et al.

US Patent 5,832,458 to Jones.

US Patent 5,497,314 to Novak.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 703-305-5543. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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